

ORIGINAL

BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SIT



0000100371

IN THE MATTER OF THE APPLICATION OF UNS  
ELECTRIC, INC., IN CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED STATUTES  
§§ 40-360 *et seq.*, FOR A CERTIFICATE OF  
ENVIRONMENTAL FOR A ENVIRONMENTAL  
COMPATIBILITY FOR THE VAIL TO VALENCIA 115 KV  
TO 138 KV TRANSMISSION LINE UPGRADE PROJECT,  
ORIGINATING AT THE EXISTING VAIL SUBSTATION IN  
SEC. 4, T.16S., R.15E., PIMA COUNTY, TO THE EXISTING  
VALENCIA SUBSTATION IN SEC. 5, T.24S., R.14E., IN THE  
CITY OF NOGALES, SANTA CRUZ COUNTY, ARIZONA

Arizona Corporation Commission

Docket No. L-00000F-09-0190-00144

Case #144

Notice of Filing

By

Elizabeth Buchroeder-Webb (Elizabeth Webb)

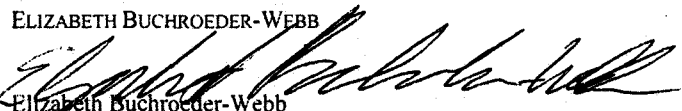
On behalf of herself, Elizabeth Webb provides notice that the following documents are being filed (7 pages total)

- Updated Witness Summary
- Notice of Entered Exhibit EW-11
- Exhibit EW-19 Power Point Presentation for Witness Testimony and Pleading
- Exhibit EW-20 *CEQ Regulations for Implementing NEPA-  
Administrative Notice on EW 20-it can be found online at [http://www.nepa.gov/nepa/regs/ceq/toc\\_ceq.htm](http://www.nepa.gov/nepa/regs/ceq/toc_ceq.htm)  
A full version available at the hearing and copies of applicable excerpts will be provided.*

Copies of this information have been provided via email to the Applicant's attorneys and Intervener Magruder and will be hand delivered at the hearing.

Dated this 7<sup>th</sup> day of July 2009

ELIZABETH BUCHROEDER-WEBB

  
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Pursuant to AAC R14-3-204

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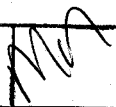
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Arizona Corporation Commission  
**DOCKETED**

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Docket No. L-00000F-09-0190-00144

Case #144

**Elizabeth Buchroeder-Webb**

**Witness Summary**

**(Exhibit EW-3 Updated)**

Updated Witness Summary: Elizabeth Buchroeder-Webb

Due to compelling evidence that has come subsequently come to light I am submitting a revision of my witness summary.

I will testify about my concerns about this project and my general conditions for the Certificate of Environmental Compatibility which will be submitted at a later date and my preferred segment alignments as per the Chairman's request. My pleading and updated CEC's as per the Chairman's request will be submitted in advance of the next hearing in separate documents. Although I will mail them, due to time my physical location related to the Phoenix Docket Control and due constraints associated with working on the CEC they may not be available at Docket Control in time for viewing prior to the hearing. I will send electronic copies to Ms. Williams, the other parties to the matter and have hard copies available prior to the start of the hearing.

Specifically I will discuss:

1. Concerns about repetitive impacts and other proposed developments in the vicinity in the Vail/Corona/Cienega Corridor associated with this project and other agency approval related the project.
2. Lack of "active, aggressive and upfront outreach" to the communities of Vail, Corona de Tucson and Rita Ranch in this project.
3. Appropriate monopole color choices.
4. As I am not sure of the legality of using exhibits in a pleading if one has not testified to the information, I will testify very briefly about issues related to the segments in Santa Cruz County with a few exhibits that have been disclosed to the other parties as well briefly describing my preferences for all routes in the project.
5. Mitigation

**Introduction:**

My name is Elizabeth Buchroeder-Webb and I am a registered voter and taxpayer in the State of Arizona. I have watched with genuine interest as the Committee has taken note of the concerns of a small group of residents and asked the Applicant to investigate other alternatives and meet with the appropriate governing agencies in the area of the preferred and alternative alignments in a delicate area. I look forward to the same level of analysis in the northern end of the project as it has the ability to affect several thousand residents. I eagerly await my direct examination.

My family lives in the Empire Mountains SE of Vail AZ. As this area is within unincorporated Pima County I tend to use the boundaries of the Vail School District with its approximate population of 45K people to define my community-although my community is not limited to that. My daughter catches a Vail Unified School bus four miles from our home, rides it to and then attends a school approximately three miles from the proposed project. Both the school and the project are in the City of Tucson.

My in-laws have a home in Civano, a community based on ambitious sustainability goals located northeast of the proposed project in the Vail School District. The community of Civano is bordered on the north by steel lattice structures carrying transmission lines.

My experiences with energy/infrastructure issues include acting as a civilian intervener in the TEP Line Site Case 137, City of Tucson Case SE-08-05 TEP Cienega Substation Dawn Drive RH Zone (Ward 4), advocating on behalf of the Vail/Cienega Corridor for Pima County Bond funds for needs such as reclaimed water infrastructure, parks, libraries, a Pima County Sheriff's substation, low income health facilities on a sliding fee scale, historic and cultural restoration, and a civic center. I am also a Vail civilian representative on the relatively new TEP Rosemont Project stakeholders group.

Another interest in this project is as a TEP customer. We are TEP customers at our home. Additionally, my husband and I are members of two well co-ops that are TEP customers in central Vail. This means we pay towards three TEP accounts, four if you include a rental we have in Tucson when it is unoccupied as it has been for several months due to the economy.

I have worked with Reta LaFord, Deputy Forest Supervisor, Coronado National Forest, with Public Outreach in the Vail/Cienega Corridor, particularly in neighborhoods with Environmental Justice issues during the initial scoping period for the proposed Rosemont Copper Mine. She and I continue to work together on NEPA and State issues related to the project. I am a 2005-2006 graduate of Partners in Policymaking, a program designed for individuals who have a disability and for parents raising children with a disability. PinP is an innovative leadership training program that teaches people to be community leaders, and to affect systems and policy change at the local state and national levels. I worked with the Vail School District in 2005 to implement change in an anti-bullying policy to more closely follow a new statute. I worked with ADOT to have School Bus Signs installed along Sonoita Highway around a dangerous curve near a school bus stop after a VUSD school bus was re-ended by someone in a car. I have also approached Pima County and asked them to consider including a recommendation in their review comments on utilities infrastructure development that would expand the utilities' obligation to notice members of the public in those rural, unincorporated areas of Pima County. To show that I am not a "one trick pony led by one topic, a "resume" of my community service is available in your binders.

Although my concerns for this project lie at the Northern End of the project as stated in my motion to intervene, it does not mean I do not have interest in Southern Arizona as a whole. Mr. Magruder appears to have it under control. I was very humbled; however, when Chairman Foreman asked for my opinion of the proposed Segments in Santa Cruz County and I take it very seriously. I believe it was Member Noland who said she has memories from that area. I have too. It is the place many, including myself from Pima County go to enjoy the beautiful diversity of Southern Arizona. Numerous youthful memories revolve around activities in Santa Cruz County-fishing in Pena Blanca Lake, Arivaca Lake, Lake Patagonia, exploring several ghost towns along the border, visiting Nogales Sonora and much more, including being a bridesmaid at an historic ranch along the Santa Cruz River in Rio Rico. My home is currently located approximately 10-12 miles from Santa Cruz County, albeit on the east side of the Santa

Rita Mountains. It is important to remember we civilian interveners are members of the public, usually customers of the utility and have multiple interests in our areas although we may not always express them.

Cost to Intervene: I spent approximately \$6000.00 on the last case (that number does not include my actual time), and just missed having my now defunct business sent to collections by the printing company. This case will cost approximately \$1000.00 but I have a community volunteer who is printing quite a few of my items from her home office who will probably donate close to \$500.00 of her own, separate from my costs when it is all done. I have hopes this is all that we will spend in this case.

My home, a modest mobile home (or a trailer as I testified to in Case 137), on approximately 30 acres in the mountains is supported by the 46kVA Greaterville substation, also the backup line to Ft. Huachuca which originates at the EHV South Substation. The two well co-ops we are members of are fed by the EHV Vail Substation. When electricity goes out on the lines it means there is not water to the wells at any of the locations. This is a part of rural living, especially on older lines but it does not make it any easier, especially with livestock. We have had fewer issues with outages on our home line because the National Weather Service Doppler Radar (NEXRAD) is at the end of a heavier duty 3 phase line that runs above ground along our property boundary. Maintenance of existing utility infrastructure is an issue that I have expressed concern about in the past.

I am not opposed to transmission or distribution lines if they are needed and **if there is appropriate, forthright public outreach with reasonable alternatives, restoration and mitigation.** As I just mentioned, I have a three phase line along the edge of my property and a huge golf ball looking object just to the northwest. That said; my basic concerns are listed below, although I am not limiting myself if other issues or opportunities arise during testimony.

First, I will discuss my concerns of repetitive impacts to the area associated with this project and other agency approval. I will discuss how the Committee can consider cumulative effect under the Arizona State Siting Statutes. With the assistance of exhibit EW-18 and Exhibit UNS-14, I will also discuss how the Applicant's predecessor did not comply with its previous CEC and how the Applicant did not hold a legal right of way on BLM land for the existing line granted in Decision 56097 when it applied for this CEC. I will also discuss other proposed developments in the area by private entities using exhibits from data requests provided by the Applicant, items from my own research and from the Applicant's exhibits.

Second, with the assistance of several docketed items or disclosed items to include photographs, maps, charts, previous witness testimony, public comments, data request responses and my own research I will show there was a severe lack of "aggressive, upfront outreach to the community in this line siting case". (Case 137 8/18/2008 P.262. This is related to Commissioner Mayes' directive at the Special Open Hearing on August 18<sup>th</sup>, 2008.

Third, I will discuss how appropriate monopole color choices can mitigate the impact of towering structures against an open view shed in the Sonoran Desert. Our blue sky with voluminous close and soaring Santa Rita, Rincon, and Santa Catalina Mountains in the background is prized by residents and visitors alike. In the stretch east from Rita Road (the exit to the Vail Substation) to State Route 83 each exit has a Pima County sign proclaiming a recreational, cultural, historic or ecological treasure of the area. Each exit is already blighted by existing high voltage transmission lines, steel lattice structures or monopoles. It is imperative that decisions made now are given forethought. Related to monopoles but not specifically color I will speak of the lack of analysis

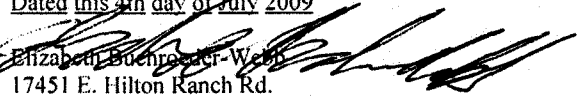
given in the Applicant's testimony and application to under building of differing voltages on existing transmission structures and the future plans of existing structures. This speaks to A.R.S. 40-360.06-6. The Total Environment of the area.

Fourth, I will offer justification for the creation of a Citizens Advisory Committee related to this project, as a condition of this CEC.

Lastly, I will briefly show and discuss with you more than one exhibit related to my preferences related to the segments, routes and conditions for the entire project. My area of focus in Santa Cruz County will center on the area more commonly known now as the "Mesquite Bosque" in Segment 2 as a result of my meeting with John Hays, Floodplain Coordinator with Santa Cruz County Flood Control District and after receiving 500' corridor information from the Applicant. There has been a different view amongst the parties on the meaning of the Chairman's direction to me at the end of the last hearing day but I believe I was asked to give my opinion on all of the differing segments. I will do so with my explanation for each with a short pleading after entering my exhibits during my direct examination.

Copies of this information have been provided via email to the Applicant's attorneys and Intervener Magruder.

Dated this 4th day of July 2009

  
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Pursuant to AAC R14-3-204

Original and 25 copies of the foregoing are filed with

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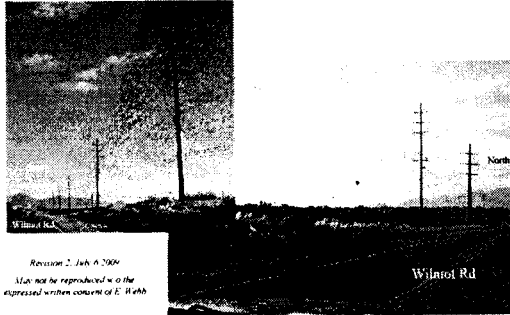
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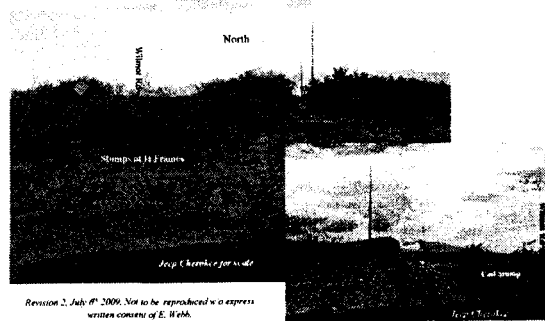
#### EXHIBIT EW-19 A

For Pleading in Case #144  
Example of communication line, distribution line and transmission line on a recently constructed 138 kV+TEP/2005-  
According to Public Notice, Robert Bills-Wilmet Substation and 138 kV+ Transmission Line. Photos taken May 2009, E. Webb



#### EXHIBIT EW-19 B

For Pleading in Case #144  
Examples of  
Access/Construction roads still in existence from Decision 56097 in 1988, and stumps of old wood 11 frames from transfer of line  
to steel monopole structures. Directional on Photos. Photos taken June 2009, E. Webb



### EW-19,C-1,2,3Rio Rico Ranchette Plat Maps

Please see the hard copy in your revised exhibit binder  
under EW-19 C-1,2,3 and large version on the display  
board

This exhibit shows existing

- 37.5' UNS Electric Distribution ROW East of RR
- 100' UNS Transmission ROW,
- RR 100' ROW East of the tracks
- 30' deeded drainage easements that are perpendicular  
to the tracks

### EW19-D Standards for Critical Facilities/Critical Services

- Exhibit Found in Your updated Binder
- Critical Facilities and Critical Services are defined to  
include:
  - Public and private utility services such as **power**
  - Critical Facilities and Services **should not** be located  
in regulatory floodplain
  - **Critical need to locate** in floodplain
  - No suitable alternative determined by an Arizona  
Registered Civil Engineer.
  - Must be protected from 500 year flood event

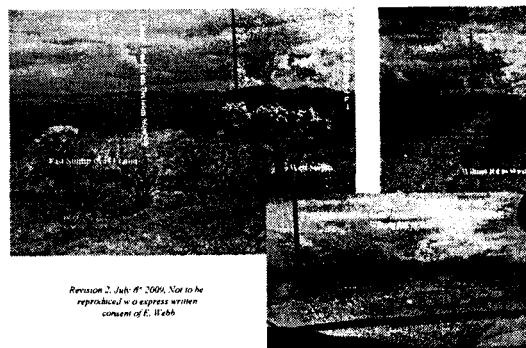
#### EXHIBIT EW-19 E

For Pleading in Case #144  
No less than "normal" roadway size signs in two different substation cases, Robert Bills-Wilmet and Cienega  
(left) and a typical Arizona State Trust Land sign



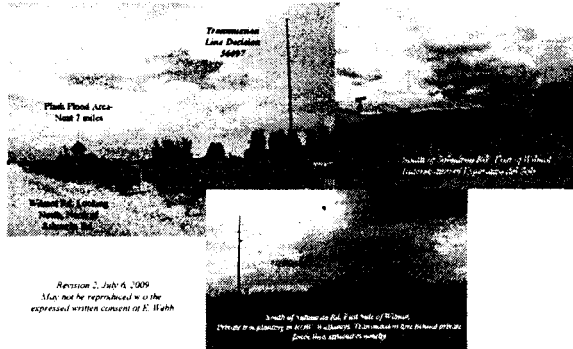
#### EXHIBIT EW-19 F

For Pleading in Case #144  
Examples of 2 Access/Construction roads still in existence from Decision 56097 in 1988 Directional on Photos. Photos taken June  
2009, E. Webb



#### EXHIBIT EW-10 G

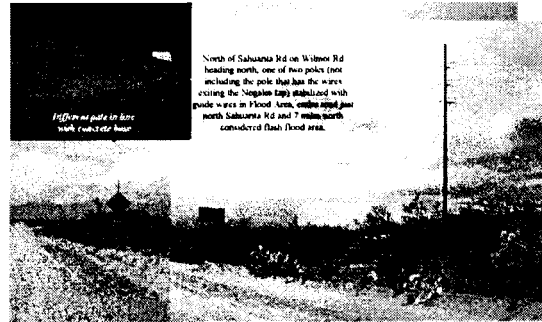
For Pleading in Case #144  
Examples of fencing "encroachments" plantings structures north south Wilcox Rd. from Decatur 56/97 in 1988 Directional on Photos. Photos taken June 2009. E. Webb



Revision 2, July 6, 2009  
Map not be reproduced without the  
expressed written consent of E. Webb

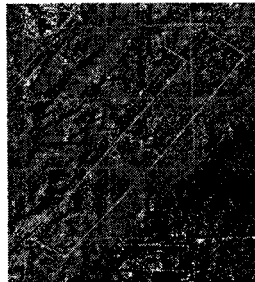
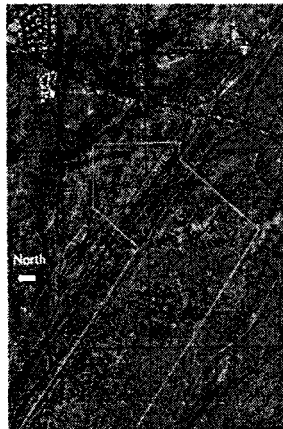
#### EXHIBIT EW-19 H

For Pleading in Case #144  
Examples of flood issues north south Wilcox Rd. from Decatur 56/97 in 1988 Directional on Photos. Photos taken June 2009. E. Webb



#### EXHIBIT EW-10-I

Example of a corridor overlay (from LS case 137)  
Has street names, sections, land formation



#### EXHIBIT EW-19 J

For Pleading in Case #144  
Distribution line, West Side of RR Tracks. Taken from Palo Parado RR Crossing in Rio Rico. Photo of Culvert, looking east from RR tracks, further south of PP crossing, transmission line in background.



1st Revision, 6 July 2009, E. Webb

#### EXHIBIT EW-10 K

For Pleading in Case #144  
Possible under build opportunities shared ROW opportunities along preferred route in Segment 4



Revision 1, July 6, 2009, E. Webb

#### EXHIBIT EW-19 L

For Pleading in Case #144  
Map from my meeting July 1st 2009 with John Hays, Floodplain Coordinator, Santa Cruz County Flood Control District. Very poor copy in your revised binder. A larger copy is on the display board.

- UNS Electric Proposed Structures Map
  - Proposed Structures
  - Existing 115 kV Transmission Line
  - Alternative Alignment
  - Preferred Alignment
  - 100' Proposed ROW (existing Distribution 37.5' plus Additional 62.5')
  - Existing 115 kV Transmission Line ROW
  - Union Pacific ROW (width varies)
  - 100' Proposed ROW west of the Union Pacific Railroad Substation